



Attorney's Docket No.: 5353C1/459003

IN THE UNITED STATES' PATENT AND TRADEMARK OFFICE

Applicant : Wallace T.Y. Tang Art Unit : 1763
Serial No. : 09/134,147 Examiner : Trung Dang
Filed : August 14, 1998
Title : IN-SITU REAL-TIME MONITORING TECHNIQUE AND APPARATUS FOR
DETECTION OF THIN FILMS DURING CHEMICAL/MECHANICAL
POLISHING PLANARIZATION

Commissioner for Patents
Washington, D.C. 20231

RESPONSE

In response to the action mailed May 22, 2000, please amend the application as follows:

In the Specification:

Page 1, line 10, please change "continuation" to --division--.

REMARKS

Claims 1-31 stand rejected for non-statutory obviousness-type double patenting in view of claims 1-50 and 96-100 of U.S. Patent No. 5,949,927.

Applicants respectfully request reconsideration of the rejection. As noted in the EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE (a copy of which is attached) mailed October 26, 1998 in the '927 patent, "All claims which would have been subject to the proposed interference have been cancelled and have been resubmitted in a recently filed divisional application so that an interference with U.S. Patent No. 5,433,651 will ultimately take place." Thus, the prior Examiner determined that the claims that issued in the '927 patent were patentably distinct from the claims in the interference (since any claims that were *not*

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

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